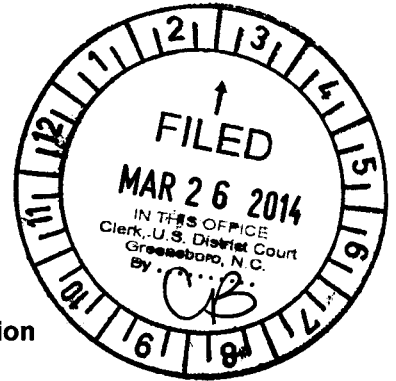


UNITED STATES DISTRICT COURT
for the
Middle District of North Carolina



**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing Is Attached)

Name of Offender: MAYNARD JUNIOR TORAIN Case Number: 1:13CR30-4
Name of Sentencing Judicial Officer: The Honorable Catherine C. Eagles
Date of Original Sentence: January 29, 2014
Original Offense: Disposing of a Firearm to a Prohibited Person in violation of 18 U.S.C. § 922(d)(1) and 924(a)(2).
Original Sentence: 5 years Probation.
March 17, 2014: Amended Judgement - Correction of Sentence for Clerical Mistake was filed.
Type of Supervision: Probation Date Supervision Commenced: January 29, 2014
Date Supervision Expires: January 28, 2019

Assistant U.S. Attorney: Timothy Nick Matkins

Defense Attorney: Locke T. Clifford

PETITIONING THE COURT

- ☐ To extend the term of supervision for years, for a total term of years.
☒ To modify the conditions of supervision as follows:

The defendant shall submit to substance abuse testing, at anytime, as directed by the probation officer. The defendant shall cooperatively participate in a substance abuse treatment program, which may include drug testing and inpatient/residential treatment, and pay for treatment services, as directed by the probation officer. During the course of treatment, the defendant shall abstain from the use of alcoholic beverages.

CAUSE

On January 31, 2014, Mr. Torain submitted to his first mandatory urinalysis drug test. His specimen tested positive for the presence of marijuana. During the testing, Mr. Torain admitted to smoking marijuana prior to his sentencing as his coping mechanism to relieve stress. The probation officer explained the conditions of supervision to Mr. Torain specifically, the standard condition which prohibits the use of any controlled substance, except as prescribed by a physician. Mr. Torain vowed that he would not submit any future positive urinalysis tests. On March 14, 2014, a subsequent urinalysis drug test was conducted which revealed negative results for the presence of illicit substances.

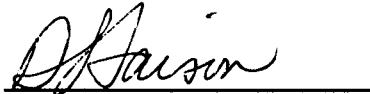
Based on the recent detection of illicit drug use, the aforementioned modification of the special condition is recommended in order to allow for continued drug testing beyond the termination of any substance abuse treatment and to assist in the monitoring of Mr. Torain's compliance with the statute which prohibits illicit drug use while under supervision.

Respectfully submitted,



Timothy L. Furlow
U.S. Probation Officer

Approved by:



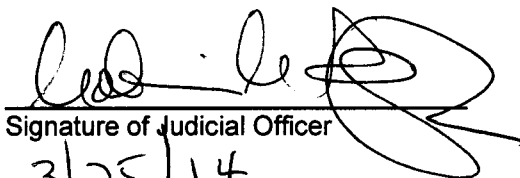
Desdemona L. Faison
Supervisory U.S. Probation Officer

3/20/14

Date

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

3/25/14
Date

UNITED STATES DISTRICT COURT
for the
Middle District of North Carolina
Waiver of Hearing to Modify Conditions

of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel" I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision.

The defendant shall submit to substance abuse testing, at anytime, as directed by the probation officer. The defendant shall cooperatively participate in a substance abuse treatment program, which may include drug testing and inpatient/residential treatment, and pay for treatment services, as directed by the probation officer. During the course of treatment, the defendant shall abstain from the use of alcoholic beverages.

Witness:



Timothy L. Furlow
U.S. Probation Officer

Signed:



Maynard Junior Torain
Probationer/Releasee

3/14/14

Date